S.B.Cr.Misc. Bail App. No.5592/2007

(Paras Mal Vs. State of Rajasthan)

Date of order : December 05, 2007

**HON'BLE MR.H.R.PANWAR,J.**

Mr.Ramesh Purohit, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the police investigation diary.

It is contended by the learned counsel for the petitioner that in the Parchi alleged to have been written by the deceased, name of the petitioner, co-accused Anil, Vimlesh Paliwal and Samrad Singh, have been mentioned, however, they have been granted bail by the trial court. Learned counsel has shown me the order dt. 30.10.2007 granting bail to the co-accused Anil. According to the learned counsel for the petitioner, the case of the present petitioner is similar to that of the co-accused. Learned counsel for the petitioner further submits that in the post mortem report, there is no injury suffered by the deceased. In the Parchi alleged to have been written by the deceased, it is alleged that the deceased was given beatings, which does not

corroborate from the post mortem report.

Having regard to the facts and circumstances of the case and the fact that similarly situated co-accused have been granted bail, I consider it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Paras Mal s/o Jagdish be released on bail in FIR No.125/2007, P.S. Deogarh provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

**(H.R.PANWAR),J.**

m.asif/-